

**MUNICIPAL CODE  
OF THE  
TOWN OF BLUE RIVER  
COLORADO**

2006

A Codification of the General Ordinances  
of the Town of Blue River, Colorado

Update 2015

Beginning with Supp. No. 10,  
Supplemented by Municipal Code Corporation



**OFFICIALS  
of the  
TOWN OF BLUE RIVER**

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Town Clerk  
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Town Attorney  
John Dunn

## MUNICIPAL CODE OF THE TOWN OF BLUE RIVER COLORADO

### SUPPLEMENTATION

The Town of Blue River, Colorado Municipal Code, originally published by Colorado Code Publishing Company, will be kept current by regular supplementation by Municipal Code Corporation, its successor in interest.

Supplements to this Code provide periodic updating through the removal and replacement of pages. This inter-leaf supplementation system requires that each page which is to be removed and replaced is identified so that the updating may be accurately accomplished and historically maintained.

Instructions for supplementation are provided for each supplement, identified by Supplement number, date and inclusive ordinance numbers. The Instructions for posting the removal and replacement of pages must be followed and accomplished in sequence, with the most recent supplementation posted last.

When supplementation is completed and the removal and replacement of all pages are accomplished, the Instructions should be placed under the Supplementation tab, with the most recent Instruction sheet on top. Previous Instructions should not be removed, so that the user may refer to this tab section to verify whether the code book is fully updated with all supplements included.

The maintenance of a Municipal Code with all supplementation is an important activity which deserves close attention so that the value of the code is maintained as a fully comprehensive compilation of the legislative ordinances of the municipality.

### AMENDMENTS

Amendments may be made to the Code by additions, revisions or deletions therefrom. Those changes may be made as follows:

Additions: Additions may be made by ordinance to the Code as follows:

The "Blue River Municipal Code" is amended by the addition thereto of a new Section 2-2-90, which is to read as follows:

(Set out full section number, title and contents)

or if the location of the new section number or numbers is undetermined, the Code may be amended as follows:

The "Blue River Municipal Code" is amended by the addition of the following:

(Set out section title and contents)

Revisions: A revision of the Code may be accomplished as follows:

Section 2-2-90 of the "Blue River Municipal Code" is repealed in its entirety and readopted to read as follows:

(Set out section number, title and entire contents of the readopted code section)

or as follows:

Section 2-2-90 of the "Blue River Municipal Code" is amended to read as follows:

(Set out section number, title and entire contents of the amended code section)

Repeal: Sections, articles and chapters may be repealed as follows:

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Section 2-2-90 of the "Blue River Municipal Code" is repealed in its entirety.

## MUNICIPAL CODE CORPORATION

### PREFACE

The Town of Blue River, a statutory Town, has published its Municipal Code in a format which features the following:

The Master Table of Contents is the table containing each chapter and article title, with reference to page location. Preceding each chapter is a chapter table of contents, also identifying each article by the subject name provided.

The three-place section numbering system places the chapter number first, followed by the article number and section number, separated by hyphens. Each section may be cited by the chapter, article and section number which are in sequence within each chapter.

The open chapter and page numbering system creates reserved chapter and page numbers for expansion or revision of the code without undue complication when changes are made to the code by supplementation.

The Disposition of Ordinances Table identifies the source for the contents of the code. This table provides ordinance numbers in chronological order and location by section number for the present code contents. Thus, if there is interest in determining whether an ordinance, or a portion thereof, is contained within the code, the Disposition of Ordinances Table will provide that information. The Table of Up-to-Date Pages lists all of the current pages through the most recent supplementation.

The Index provides references by common and legal terminology to the appropriate code sections. Cross references are provided with the Index when appropriate.

Supplements to the code provide regular updating of the code to maintain it as a current compilation of all the legislation which has general and continuing effect. Without regular supplementation, the code would soon lose its usefulness as a complete source of the general law of the municipality. Supplementation is accomplished by the periodic publication of additions and amendments to the code.



### STATE OF COLORADO TOWN OF BLUE RIVER, COLORADO

#### ORDINANCE NO. 06-01

AN ORDINANCE OF THE TOWN OF BLUE RIVER, ADOPTING BY REFERENCE AND ENACTING A NEW MUNICIPAL CODE FOR THE TOWN OF BLUE RIVER; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE ADOPTION OF SECONDARY CODES BY REFERENCE; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

Be It Ordained by the Board of Trustees of the Town of Blue River, Colorado:

## MUNICIPAL CODE OF THE TOWN OF BLUE RIVER COLORADO

Section 1. The Code entitled the Blue River Municipal Code, published by Colorado Code Publishing Company and consisting of Chapters 1 through 18, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before the adoption date of this Ordinance, which are inconsistent with the provisions of the Blue River Municipal Code, to the extent of such inconsistency, are hereby repealed. The repeal established in this Section 2 shall not be construed to revive any ordinance or part thereof that had been previously repealed by any ordinance which is repealed by this Ordinance.

Section 3. The following codes were adopted by reference and incorporated in the Blue River Municipal Code. One (1) copy of each is on file in the Town Clerk's office:

- (1) The Model Traffic Code for Colorado Municipalities, 2003 edition, published by the Colorado Department of Transportation, as adopted and amended in Section 8-1-10 et seq.;
- (2) International Residential Code, 2000 edition, published by the International Code Council, Inc., as adopted and amended in Section 18-3-10 et seq.
- (3) The National Electrical Code, 2002 edition, published by the National Fire Protection Association, as adopted and amended in Section 18-4-10 et seq.;
- (4) The Uniform Code for the Abatement of Dangerous Buildings, 1997 edition, published by the International Conference of Building Officials, as adopted and amended in Section 18-8-10 et seq.; and
- (5) The International Fire Code, 2003 edition, published by the International Code Council Inc., as adopted and amended in Section 18-9-10 et seq.

Section 4. The penalties provided by the Municipal Code of the Town of Blue River are hereby adopted as follows:

- (1) Sec. 1-4-20. General penalty for violation. (General Provisions — General Penalty)

Any person convicted in the Municipal Court of a violation of any provision of this Code for which a different penalty is not specifically provided may be punished by a fine not exceeding one thousand dollars (\$1,000.00), by imprisonment not exceeding one (1) year or by both such fine and imprisonment, except as hereinafter provided in Section 1-4-30. In addition, such person shall pay all costs and expenses in the case, including attorney fees. Each day such violation continues shall be considered a separate offense. See Sections 2-4-10 through 2-4-160 of this Code and Section 13-10-113, C.R.S.

- (2) Sec. 1-4-30. Application of penalties to juveniles. (General Provisions — General Penalty)

Every person who, at the time of commission of the offense, was at least ten (10) but not yet eighteen (18) years of age, and who is subsequently convicted of or pleads guilty or nolo contendere to, a violation of any provision of this Code, shall be punished by a fine of not more than one thousand dollars (\$1,000.00) per violation or count. Any voluntary plea of guilty or nolo contendere to the original charge or to a lesser or substituted charge shall subject the person so pleading to all fines and/or penalties applicable to the original charge. Nothing in this Section shall be construed to prohibit incarceration in an appropriate facility, at the time of charging, of a juvenile violating any section of this Code.

- (3) Sec. 2-4-130. Contempt power. (Administration — Municipal Court)

The Municipal Court shall have power to compel attendance of sessions of court and to punish for contempt of court by fine or by jail sentence, or both such fine and jail sentence. When the Court finds any person to be in contempt, the Court may vindicate its dignity by imposing on the contemnor a fine not to exceed one thousand dollars (\$1,000.00) and imprisonment not to exceed a term of one (1) year. In cases of indirect contempt, the alleged contemnor shall have all the rights, privileges, safeguards and protections of a defendant in a petty offense case, including but not limited to a formal written complaint, arraignment and trial by jury.

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(4) Sec. 2-4-140. Court costs. (Administration — Municipal Court)

- (a) The Municipal Court is hereby authorized to increase court costs charged to defendants found guilty after trial or plea to up to one hundred dollars (\$100.00) in the Court's sole discretion.
- (b) The Municipal Court is hereby authorized to make any adjustments or increases in fines assessed against defendants found guilty to such amounts approved by the presiding Municipal Judge in accordance with state law.

....

(5) Sec. 7-6-40. Violations and penalties (Health, Sanitation and Animals — Animal Regulations)

Any person convicted of violating any of the provisions of the animal control and licensing regulations shall be punished by a fine as hereinafter provided; provided that each separate act in violation of the provisions of the animal control and licensing regulations shall be deemed a separate offense. The following fines shall apply to any such violation and shall be levied either through the penalty assessment procedure of C.M.C.R. Rule 210(b)(4), or by the Municipal Court after conviction, in which case the Court shall also assess the appropriate court costs:

- (1) For all violations not involving a dangerous or potentially dangerous animal:

First offense	\$ 50.00
Second offense within eighteen (18) months	100.00
Subsequent offense within eighteen (18) months	200.00

- (2) For all violations involving potentially dangerous animals or incidents:

First offense	\$150.00
Second offense within eighteen (18) months	300.00
Subsequent offense within eighteen (18) months	Mandatory court appearance and mandatory minimum fine of \$500.00

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- (3) For all violations involving a charge of habitual offender, failing to redeem for an animal, failure to pay fines or fees or threatening of livestock or wildlife:

Any offense	Mandatory court appearance and mandatory minimum fine upon conviction of \$300.00, plus associated costs and restitution
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- (4) For all violations and subsequent conviction of failure to confine a dangerous animal:

Any offense	Mandatory court appearance and mandatory minimum fine upon conviction of \$500.00, plus associated costs and restitution
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The above-stated fines are minimum penalties, and all violations are subject to the general fine and imprisonment provisions of Section 1-4-20 of this Code.

- (6) Sec. 7-6-190. Penalty assessment. (Health, Sanitation and Animals — Animal Regulations)

The following penalty assessments are declared to be mandatory and minimum:

- (1) Maintenance of wildlife-resistant refuse containers (Section 7-6-120 of this Chapter):

First offense within one year	\$ 50.00
Second offense within one year	250.00
Third offense within one year	Summons

- (2) Residential refuse disposal (Section 7-6-130 of this Chapter):

First offense within one year	\$ 50.00
Second offense within one year	250.00

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Third offense within one year	Summons
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(3) Construction site refuse disposal (Section 7-6-140 of this Chapter):

First offense within one year	\$ 250.00
Second offense within one year	500.00
Third offense within one year	Summons

(4) Feeding of wildlife (Section 7-6-150 of this Chapter):

First offense within one year	\$ 250.00
Second offense within one year	500.00
Third offense within one year	Summons

(7) Sec. 8-1-60 Violation; penalty. (Vehicles and Traffic — Model Traffic Code)

The following penalties, herewith set forth in full, shall apply to this Chapter:

- (1) It is unlawful for any person to violate any of the provisions set forth or adopted in this Chapter.
- (2) Every person convicted of a violation of any provision stated or adopted in this Chapter shall be punished in accordance with the provisions of Section 1-4-20 of this Code.
- (3) The following is a schedule of fines for infractions which are eligible for payment as a penalty assessment, by mail or by payment at the Violations Bureau of the Court Clerk's office:

Section 1101, Speed Limits:	
5 - 9 mph over limit	\$ 65.00
10 - 19 mph over limit	110.00

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20 mph or more over limit	Court
Parking violations	50.00
Handicapped parking violations	100.00
Zero-point infractions	35.00
All other traffic infractions	20.00 per point
Section 1402, Careless Driving, and Section 1101(3), Special Hazards:	
Without personal injury or substantial property damage	\$ 65.00
With personal injury or substantial property damage	110.00
With serious injury or fatality	Court

All traffic offenses, except as provided for above requiring mandatory court appearance, are eligible for Violations Bureau disposition, via mail, in the form of a penalty assessment.

- (8) Sec. 10-5-70. False burglar alarms. (General Offenses — Public Peace, Order and Decency)
- (a) After responding to the second false alarm at the same location within a calendar year, the Town Marshal shall send, by regular mail, a notice to the property owner informing him or her that subsequent false alarms will entail a fifty-dollar charge.
  - (b) Any person having a burglar, holdup or any type of intrusion alarm shall be charged fifty dollars (\$50.00) for the third and each subsequent false alarm responded to by the Town within a calendar year. If the possessor of the alarm shows to the satisfaction of the Town Marshal that the false alarm was not the result of negligence or improper maintenance, such fee may be waived.
  - (c) After response to a third or subsequent false alarm at the same location in a calendar year, the Town Marshal shall, by certified mail, serve the property owner with a penalty assessment of fifty dollars (\$50.00), payable within fifteen (15) days of mailing. If the assessment is unpaid, the property owner shall be served with a summons and complaint pursuant to the rules of the Municipal Court, requiring an appearance in Municipal Court.
  - (d) Any person failing to pay the penalty assessment provided for in the above paragraph and whose burglar, holdup or intrusion alarm has been responded to by the Town three (3) or



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more times within a calendar year for false alarms may be fined in an amount as provided in Section 1-4-20 of this Code.

- (9) Sec. 10-7-80. Possession of marijuana. (General Offenses — Alcoholic Beverages and Drugs)
- (a) Any person who knowingly possesses not more than one (1) ounce of marijuana commits a criminal offense and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars (\$100.00).
  - (b) ....
  - (c) Any person who openly and publicly displays, consumes or uses not more than one (1) ounce of marijuana commits an offense and, upon conviction thereof, shall be punished, at a minimum, by a fine of not less than one hundred dollars (\$100.00) or, at a maximum, by a fine of not more than three hundred dollars (\$300.00) and, notwithstanding the provisions of Subsection (b) above, by fifteen (15) days in jail.
  - ....
- (10) Sec. 11-1-40. Address numbers required. (Streets, Sidewalks and Public Property — Streets and Sidewalks)
- (a) All lot owners of improved property are required to post the address of the lot so that the address is clearly visible from the street from which the lot takes access. The numbers used shall be reflective and in a form prescribed by the Town or the Red, White and Blue Fire Protection District and may be attached to the residential structure or placed on a post, tree or other device near the street. Each address shall consist of at least four (4) digits even if the number begins with one (1) or more zeros.
  - (b) If any lot owner fails to post the address, the Town may post said address and charge the costs thereof to the lot owner.
  - (c) All lot owners shall remove any posted lot numbers contemporaneously with the posting of address numbers required by Subsection (a) above. Failure to comply with this Section shall be a violation of this Code and punishable by a fine not to exceed three hundred dollars (\$300.00) per offense.
- (11) Sec. 11-3-40. Rules and regulations. (Streets, Sidewalks and Public Property — Goose Pasture Tarn)
- (a) Spillway area. Fishing or trespassing within forty-five (45) feet of the improved concrete portion of the spillway of the Tarn is absolutely prohibited and unlawful. Violation of this Subsection shall be punishable upon conviction by a fine of up to one thousand dollars (\$1,000.00) for each offense.
  - ....
- (12) Sec. 18-1-60. Penalties. (Building Regulations, General Provisions)
- (a) Any person who builds or erects any structure without a building permit or in violation of any provision of this Chapter shall have his or her license revoked or suspended, may be deemed guilty of a misdemeanor and may be punished by a fine of not less than twice the fee which would have been due had a permit been properly applied for or the provisions of this Chapter and Code followed and not more than one thousand dollars (\$1,000.00) for each and every day the violation continues. It is the intention of this legislation that fines levied against violators aggregate an amount at least double the fees otherwise due. The Town recognizes that fees could exceed one thousand dollars (\$1,000.00) based on the size and value of the project and believes fines assessed for continuing violations should be utilized to cause a doubling of the fees otherwise due.

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- (b) It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this Chapter. Each such violation shall be punishable. In addition to such penalty, the Town may initiate proceedings to prevent, enjoin, abate or remove the violation.

Section 5. Additions or amendments to the Code, when passed in the form as to indicate the intention of the Town to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after this Ordinance that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to those provisions of the Code.

Section 7. This Ordinance shall become effective thirty (30) days after publication thereof.

INTRODUCED this 17th day of January, 2006.

TOWN OF BLUE RIVER , COLORADO

/s/ \_\_\_\_\_  
Darcy Lystlund, Mayor

ATTEST:

/s/ \_\_\_\_\_  
Kathleen Neel, Town Clerk

(SEAL)

ADOPTED AND ORDERED PUBLISHED on this 21st day of February, 2006.

TOWN OF BLUE RIVER, COLORADO

/s/ \_\_\_\_\_  
Darcy Lystlund, Mayor

ATTEST:

/s/ \_\_\_\_\_  
Kathleen Neel, Town Clerk

(SEAL)

APPROVED AS TO FORM:

/s/ \_\_\_\_\_  
John Dunn, Town Attorney

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